

# **Exhibit D**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

- - -

**IN RE: AUTOMOTIVE WIRE HARNESS  
SYSTEMS ANTITRUST**

**MDL NO. 12-2311**

**STATUS CONFERENCE &  
MOTIONS FOR PRELIMINARY APPROVAL**

BEFORE THE HONORABLE MARIANNE O. BATTANI  
United States District Judge  
Theodore Levin United States Courthouse  
231 West Lafayette Boulevard  
Detroit, Michigan  
Wednesday, October 8, 2014

**APPEARANCES:**

**Direct Purchaser Plaintiffs:**

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1 plaintiffs who bought a car don't think we should be subject  
2 to being deposed in wire harness and then again in the next  
3 case.

4 Our view would be one deposition of that plaintiff  
5 for every case they are in, defendants can appear if they  
6 want. And what I would suggest, and I can provide the orders  
7 on this, is in cases of this nature where there are class and  
8 direct and multiple plaintiffs you don't repeat the  
9 deposition again. So if we produce our plaintiffs for  
10 deposition once now during the wire harness discovery, we  
11 don't want somebody on the sidelines to come back in a year  
12 and say now it is occupant safety, we want that person again  
13 to ask them all of the same questions. So we are going to  
14 suggest and we will try to work this into our protocol that  
15 they get deposed once.

16 THE COURT: Let me just indicate, you will try to  
17 work it into the protocol, that's fine, but I don't see how  
18 that is going to work because there is not discovery yet  
19 done, I mean, or document production on these other parts.

20 MR. WILLIAMS: But this is the plaintiff being  
21 deposed, and this -- this comes back to what we have been  
22 talking about, but it is the plaintiffs who's deposition  
23 being taken, so --

24 THE COURT: You are not talking --

25 MR. WILLIAMS: My plaintiffs have produced their

1 that just won't need to occur.

2 THE COURT: Okay.

3 MR. CHERRY: Thank you, Your Honor.

4 THE COURT: Yes?

5 MR. BARRETT: Your Honor, Don Barrett for the auto  
6 dealers.

7 We strongly agree with the end payors about the  
8 issue of repeated depositions. Generally speaking, our  
9 plaintiffs are small businessmen and it is -- it would be  
10 abusive to make them over and over and over 29 times -- you  
11 know, the idea is to run them out of the litigation and --

12 THE COURT: Nobody is going to do that. I don't  
13 think you need to worry about that. The effort will be to  
14 not duplicate discovery. I think we said that way back when,  
15 and I really think that's still where it goes, and I think  
16 with the Master's assistance in your meet and confers first  
17 that you will be able to work that out. It certainly may be  
18 that somebody is deposed twice two or three -- I mean, there  
19 are things that we can't control but those things that are  
20 within their control and we can proceed now with wire harness  
21 we will work with an effort to not duplicate.

22 MR. BARRETT: Thank you, Your Honor.

23 THE COURT: All right. I think we have that  
24 schedule for now. I would like to go back because there was  
25 one thing I didn't do, which I believe was F, page 3 of the